

REMARKS

Claims 1-11 are pending in this application. By this Amendment, claims 1-4 and 6-7 have been amended, and new claims 8-11 have been added. No new matter is contained in the amendments presented herein.

Applicants wish to thank the Examiner for the indication that the species elected in response to the Election of Species requirement is allowable, and that claim 5 is allowed.

Claims 1-4 and 6-7 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In order to overcome this rejection, Applicants have adopted the language suggested by the Examiner in paragraph 2 of the Office Action.

Claim 1 was rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Rozhanskii et al. (U.S. Patent No. 7,163,988). Applicants respectfully traverse this rejection.

Rozhanskii et al. is cited for disclosing a proton-conductive membrane for a fuel cell in which the membrane comprises a polymer solid electrolyte comprising a polyarylene having a sulfonic acid group. The Office Action takes the position that the polyarylene includes repeating structural units derived from an aromatic compound that contains at least repeating structural units represented by formula 1.

However, Applicants submit that Rozhanskii et al. fails to disclose or suggest the structure of the claimed fuel cell, or the electrode catalyst layers containing a catalyst supported by carbon particles and ion-conductive binder.

Accordingly, Applicants submit that Rozhanskii et al. does not disclose or suggest the presently-claimed invention set forth in claim 1, and respectfully request that the rejection based on Rozhanskii et al. be withdrawn.

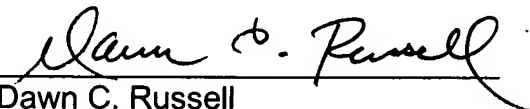
CONCLUSION

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding rejections, allowance of Claims 1-11, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

Applicants believe that no additional fees are required in connection with this Amendment. However, if additional fees are required, the Commissioner is hereby authorized to charge any additional payment, or credit any overpayment, to Deposit Account No. 01-2300, referencing docket number **101175-00037**.

Respectfully submitted,



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